

REMARKS

Applicant's counsel thanks the Examiner for the careful consideration given the application. Applicant's counsel also thanks the Examiner for the courteous telephone interview conducted on May 22, 2006 during which U.S. Pats. 4,213,279, 3,818,521 and 2004/0226228 were discussed, as well as the main claims of the application. It was agreed that additional language should be added to the claims to more clearly define over the applied references. Applicant's counsel also thanks the Examiner for the courteous telephone interview conducted on June 6, 2006 during which U.S. Pats. 4,213,279, 3,818,521, 2004/0226228, 2003/0200714 and 2003/0177720 were discussed, as well as claims 1, 19, 22 and 26 amended substantially as they are now presented. The Examiner was more favorably disposed toward the combination claims than the subcombination claims since they positively recite more structure; accordingly applicant has added combination claims 26, 37 and 38, which are combination claims corresponding to the subcombination claims 1, 19 and 22. The Examiner indicated he was more favorably disposed towards these combination claims since they positively recite more structure/and he would give them serious consideration. The Examiner is requested to telephone Applicant's counsel after he evaluates this Amendment if he believes such would speed up and simplify prosecution.

In response to paragraph 1 of the Office Action, it is noted that the slotted aperture mentioned in claim 16 and the slot in claim 25 are shown as element 273 in Fig. 15.

The applied references are now discussed as follows. Layne (4,213,279) is applied against independent claims 1 and 19. Claim 1 as amended defines over Layne because in Layne the second foam layer (14) is thinner than the first foam layer (15), not vice versa as now recited in claim 1. Claims 19 and 37 now define over Layne because the theft deterrence component is at least partially made of metal; in Layne it is fabric or similar (14a). Claims 15 and 22 and 38 define over Layne because it would not be obvious to make one of the two short legs longer than the other because Layne shows in Fig. 3 that the bracket 30 has two short legs, one on the top and the other on the bottom, both being the same length and both extending to cover the end of the wooden base 18. There would be no motivation to extend either one, since each already extends the full width of wooden base 18 as shown in Fig. 3. Amended claim 26 defines over Layne because in claim 26, the mounting bracket is attached directly to the backing structure; in Layne, Figs. 3 and 6, the mounting bracket is attached directly to the wooden base 18, not to the backing structure 16 (Fig. 6).

Regarding Richards (3,818,521), the claims now clearly define over this reference because the backing structure is now a rigid backing structure; in Richards, the backing structure (16', Fig. 9) is flexible mesh or netting (col. 5, line 39).

Regarding Digmann et al. (2004/0226228), the claims all define over this reference by requiring that the layers be foam layers; the corresponding layers in Digmann are layers 56 left and 56 right in Figs. 4 and 5; however, Digmann states that layers 56 may be ceramic fiber blanket (middle of paragraph 0025); Digmann does not suggest they may be foam; also the high heat environment of Digmann (it teaches the unit as a "heat shield") teaches against a foam and teaches toward a high heat tolerant material such as a ceramic fiber blanket.

It is also suggested that Minke et al. (2003/0200714) can be combined with Digmann et al. However, Minke is not combinable with Digmann et al. because Minke is non-analogous art to Digmann. Minke is a high performance reinforced door for a residential or commercial building; it has no connection to or application to a loading dock pad or loading dock door seals.

Since all of the claims as now presented clearly define over the prior art, it is believed that a Notice of Allowance is appropriate and such is respectfully requested. The Examiner is requested to telephone Applicant's counsel if he feels such would advance prosecution toward allowance of some or all of the claims.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 36289US1.

Respectfully submitted,
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